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Secretary of Natural Resources



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Director

COMMONWEALTH of VIRGINIA
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August 25, 2009

Ms. Melinda Dunlap
York County Environmental & Development Services
105 Service Drive – P.O. Box 532
Yorktown, Virginia 23690-0532

Re: Results of Resource Protection Area Delineation
102 Clark Lane, York County, Virginia
Latitude: 37°11'27.4"N Longitude: 76°26'30.9"W

Dear Melinda:

This letter is in response to your request for technical assistance to York County with a Resource Protection Area (RPA) delineation carried out by way of field inspection on June 16, 2009. The purpose for the site visit was to clarify the limits of any RPAs present on the subject property.

Regulatory Framework:

Per the Chesapeake Bay Preservation Area Designation and Management Regulations (9 VAC 10-20-80 B.), the Resource Protection Area shall include: 1) tidal wetlands; 2) nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow; 3) tidal shores; 4) such other lands considered by the local government that protect the quality of state waters; and, 5) a buffer area not less than 100-feet in width located adjacent to and landward of components 1-4, and along both sides of any water body with perennial flow.

Results:

The subject property and the surrounding landscape were observed during the site visit. Nontidal wetlands were noted to the north of the subject property, draining eastward via a culvert under Clark Lane. East of Clark Lane, tidal wetlands were observed and continued southeastward until reaching a tidal cove of Chisman Creek via a culvert under Seaford Road (Route 622).

Based on the Chesapeake Bay Local Assistance Board (CBLAB) adopted guidance document, entitled *Resource Protection Areas: Nontidal Wetlands* (effective June 18, 2007; revised December 10, 2007), the nontidal wetlands present to the north of the subject property **require RPA designation**. The guidance document states that "nontidal wetlands that have been interrupted by man-made obstructions, but remain connected by surface flow [through a pipe, culvert, or other conveyance] should be included as RPA features."

Should you have any further questions or need additional assistance, please do not hesitate to contact me at 804.371.6221 or Nathan.Hughes@dcv.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Nathan W. Hughes", with a long horizontal flourish extending to the right.

Nathan W. Hughes
Watershed Specialist

cc: Nancy Miller – County's Liaison, DCR – Div. of Chesapeake Bay Local Assistance

102 Clark Lane, Seaford, Virginia
RPA Delineation, 16 JUNE 2009



Photograph #1: Nontidal wetlands located north of subject property (photo looking west)



Photograph #2: Tidal wetlands located east of Clark Lane (photo looking south)